

Remarks

In the July 13, 2005 Office Action in the above case, claims 11-15, 18 and 19 were allowed, claims 1-9, 16 and 17 were rejected based on art, and claim 10 was treated as having been previously canceled. Claims 2, 16 and 17 have now also been canceled, and claims 1, 3-9 and 11-15 have now been further amended. In view thereof, reconsideration is respectfully requested.

Previously Allowable Subject Matter

Applicants note with appreciation the allowance of claims 11-15, 18 and 19. Since claims 18 and 19 have not been further amended, they should remain allowable. Claims 11-15 should remain allowable since they contain all of the previously allowed subject matter, as well as what was formally claim 2 subject matter.

Claims 1-9, 16 and 17

Claims 16 and 17 have now been canceled to facilitate prosecution, and claim 2 has been canceled in view of the amendment to claim 1.

Claim 1 (and thus also claims 3-9 dependent thereon) have been amended to incorporate the core of the allowable subject matter (that something different is being placed in the two areas), as well as claim 2 subject matter. Claim 1 now clarifies that the actives can be the same where something else about the volatile formulations is different. Paragraph [0044] of the specification noted that the same active could be used in both regions if solvents, binders and/or the like (regardless of whether themselves volatile) are adjusted in the remaining formulations. The Office previously considered this type of distinction in the context of claim 14 and 15 subject matter.

Since the Office has already favorably examined claims 14 and 15, and since claim 1 is now further amended to incorporate claim 2 subject matter, this subject matter is also believed allowable. Because essentially these

distinctions have already been deemed allowable, this is believed to be an appropriate amendment at this stage.

In any event applicant also notes that U.S. patent 5,230,867 was the reference relied on in the Office Action for a "moat" teaching. It is respectfully asserted that the reference does not in fact teach the claimed "moat", and thus is deficient for that reason as well.

Amended claims 1, and 3-9 specify a moat in the upper wall. U.S. patent 5,230,867 does not teach this. The pad 2 of Fig. 2 of this patent has no indentations at all. The pad 12 of Fig. 4 does have two linear indentations on its bottom side.

In any event, the incorporation of claim 2 subject matter into claim 1 further distinguishes this art, and this prior art patent also does not teach or suggest using the same active in both areas, but with different formulations associated with each.

The subsidiary references do not make up these deficiencies.

Supplemental Information Disclosure Statement

Enclosed herewith is a supplemental information disclosure statement submitting art recently received in a search report from a corresponding PCT application, to the extent that the art has not already been considered. WO 2004/073399 is commonly assigned to S.C. Johnson & Son, Inc. U.S. patent 6,551,560 (not resubmitted) was noted in the PCT report, but has already been considered in this prosecution. None of the other three references submitted herewith teach or suggest the claims as now presented (e.g. the moat radially positioned, or the method of construction).

It is noted that applicant does not have an English language translation of EP 238,983, nor is applicant aware of any English language counterpart. In any event, the PCT examiner did not cite this reference against claim 2 subject matter. Nevertheless, because it was cited in a corresponding

report (albeit against other claims), it is submitted herewith for sake of completeness.

Conclusion

In view of the amendment and remarks above, reconsideration and allowance of claims 1, 3-9, 11-15, 18 and 19 is respectfully requested. No additional fee is believed necessary for consideration of this amendment. However, if one is, please charge Deposit Account 10-0849 for the amount of the fee.

Respectfully submitted,
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